

DEC. 23. 2003 12:13PM

NO. 186 P. 1

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Mail to: P. O. Box 3791 • Orlando, FL 32802-3791
tel: 407-841-2330 • fax: 407-841-2343
pditmyer@addmg.com

FACSIMILE COVER SHEET

TO: Examiner: ULA RUDDOCK - ART UNIT: 1771 - U. S. Patent and Trademark Office

CLIENT NAME/NUMBER: CMI - 64908

TELEPHONE: 703-305-0066

FAX NO: 703-872-9306

FROM: Paul J. Ditmyer

DATE: December 23, 2003

NUMBER OF PAGES (INCLUDING COVER SHEET): 10

COMMENTS/INSTRUCTIONS:

Please see attached Amendment After Final in response to the Examiner's Office Action of October 3, 2003 for U.S. Patent Application Serial No. 09/680,721.

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NO. 186 P. 2

Case No. 64908

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In re Application of: **GREGG ET AL.**

Serial No.: **09/680,721**

Filed: **OCTOBER 6, 2000**

For: **BACKERBOARD SHEET INCLUDING AERATED CONCRETE CORE**

Sir:

Transmitted herewith is an Amendment for in the above-identified application.

Small entity status of this application under 37 CFR § 1.27 has been established by a verified statement previously submitted

A verified statement to establish small entity status under 37 CFR § 1.27 is enclosed.

No additional fee is required.

The fee has been calculated as shown below:

| FOR: | (Col. 1) CLAIMS REMAINING AFTER AMENDMENT | (Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR | (Col. 3) PRESENT EXTRA | SMALL ENTITY | | LARGE ENTITY | |
|--|---|---|------------------------------|-----------------|----|-----------------|------|
| TOTAL CLAIMS | 15 | 64 | 0 | X 9 | \$ | X 18 | \$ |
| INDEPT CLAIMS | 2 | 5 | 0 | X 42 | \$ | X 84 | \$ |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | + 135 | \$ | + 270 | |
| | | | | TOTAL ADD'L FEE | | TOTAL ADD'L FEE | \$ 0 |

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

The Commissioner is hereby authorized to charge or credit any discrepancies in fee amounts to Deposit Account No. 01-0484.

PLEASE ADDRESS ALL CORRESPONDENCE TO ATTORNEY OF RECORD: CHRISTOPHER F. REGAN

Please associate this application with Customer No. 27975.


PATENT TRADEMARK OFFICE

27975

PAUL J. DITMYER
REG. NO. 40,455

December 23, 2003
DATE

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NO. 186 P. 3

DEC 23 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
GREGG ET AL.)
Serial No. 09/680,721) Examiner: U. RUDDOCK
Filing Date: OCTOBER 6, 2000) Art Unit: 1771
For: BACKERBOARD SHEET INCLUDING) Attorney Docket No. 64908
AERATED CONCRETE) Telefacsimile No. 703-872-9306
)

AMENDMENT AFTER FINAL

Mail Stop Amendment AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action of October 3, 2003,
please enter the amendments and remarks set out below.

Amendments to the Claims are reflected in the listing of claims
which begins on page 2 of this filing.

Remarks begin on page 6 of this filing.